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BASEL CONVENTION

Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
Twelfth meeting
Geneva, 4–15 May 2015
Item 4 (b) (iv) of the provisional agenda*

Matters related to the implementation of the Convention: scientific and technical matters: national reporting

National reporting

Note by the Secretariat

I. Introduction

1. In its decision BC-11/7 on national reporting, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, among other things, invited parties that had not yet done so to transmit to the Secretariat their completed questionnaires on the transmission of information for 2011 and for previous years, as soon as possible and in electronic form, using the revised questionnaire adopted by the Conference of the Parties at its sixth meeting and bearing in mind that, in accordance with the provisions of paragraph 3 of Article 13 of the Convention, parties must transmit before the end of each calendar year a report on the previous calendar year. In the same decision, the Conference of the Parties requested the Secretariat to work on a number of actions, which are reflected in the implementation section below.

2. Also in the same decision, the Conference of the Parties decided to include a review and revision of the reporting format in the work programme of the Open-ended Working Group for 2014-2015 and to establish a small intersessional working group to take this work forward, with a particular focus on streamlining and simplifying the content and structure of the reporting format.

II. Implementation

3. Pursuant to decision BC-11/7, the Secretariat continued to develop and improve the new electronic reporting system of the Basel Convention, which was launched in November 2013 and has enabled parties since then to submit their reports online.[1]

4. As at 21 November 2014, 86 parties had reported for 2010 (50 per cent), 85 for 2011 (49 per cent) and 80 for 2012 (45 per cent). Further details on the reporting and non-reporting parties for each of those years can be found in document UNEP/CHW.12/INF/17.

5. The Secretariat received funds from Norway to organize a workshop on national reporting for French-speaking countries. The workshop was held in Dakar from 6 to 8 July 2014.[2] It was organized by the Secretariat of the Basel Convention together with the Basel Convention Regional Centre for

* UNEP/CHW.12/1.

[1] www.basel.int/Countries/NationalReporting/ElectronicReportingSystem/tabid/3356/Default.aspx.

[2] http://synergies.pops.int/Default.aspx?tabid=4281.

French-speaking countries in Africa. To make the best use of the funds available and in line with decisions on synergies, the workshop was developed for the areas of reporting under both the Basel Convention and the Stockholm Convention on Persistent Organic Pollutants. Representatives from 17 African States parties to the Basel Convention participated in the workshop.

6. The Secretariat also conducted a series of webinars on the electronic reporting system of the Basel Convention. The webinars were held in Arabic, English, French Russian and Spanish (see UNEP/CHW.12/INF/22-UNEP/FAO/RC/COP.7/INF/14-UNEP/POPS/COP.7/INF/17).

7. Pursuant to paragraphs 6 and 7 of decision BC-11/7, nominations of experts to the small intersessional working group on national reporting were submitted by the following 11 parties: Austria, Belgium, Canada, Central African Republic, Germany, Japan, Madagascar, Malaysia, Morocco, Norway and Peru. Germany expressed interest in serving as lead country. The outcome of the work – the draft format for national reporting – was submitted for consideration by to the Open-ended Working Group at its ninth meeting (UNEP/CHW/OEWG.9/INF/15, annex).

8. In decision OEWG-9/6, the Open-ended Working Group invited parties to nominate additional experts to participate in the small intersessional working group on national reporting and to inform the Secretariat of their nominations by 31 October 2014. It also invited parties to submit comments on the draft format for national reporting and on the revised draft format (UNEP/CHW/OEWG.9/INF/15/Rev.1, annex) by 31 October 2014, and requested the small intersessional working group to prepare a further revised format for national reporting, taking into account the discussions and comments received at the ninth meeting of the Open-ended Working Group, for consideration by the Conference of the Parties at its twelfth meeting.

9. Following the ninth meeting of the Open-ended Working Group, six new members joined the small intersessional working group, bringing to 17 the number of parties represented in the group: Algeria, Argentina, Australia, Austria, Belgium, Canada, Central African Republic, Germany, Japan, Kenya, Madagascar, Malaysia, Morocco, Norway, Peru, Togo and Yemen.

10. In addition, following the ninth meeting of the Open-ended Working Group, the Secretariat received comments from Argentina, Algeria, Canada, the European Union and its member States and Mexico on the reporting format (see UNEP/CHW.12/INF/48).

11. Working by electronic means, including holding a teleconference consultation on 20 November 2014, the lead country, in consultation with the small intersessional working group and taking into account all comments received, elaborated the draft revised format for national reporting set out in document UNEP/CHW.12/INF/16. All changes should be compared with the reporting format that was adopted in English only in decision VI/27 and taking into account the slight revisions to questions 2 and 3 called for in decision BC-10/11.[3]

12. In addition, the small intersessional working group suggested that, in the format for national reporting, reference be made to the relevant provisions of the Convention and decisions of the Conferences of the Parties in the form of footnotes or equivalent so as to provide information on the legal basis underpinning each item, whether question or table, of the questionnaire.

13. A summary of the changes proposed by the intersessional working group to the reporting format is set out in the annex to the present note.

14. Finally, the small intersessional working group emphasized the need for the development of a comprehensive electronic user manual in the six official languages of the United Nations that would include all questions, subquestions and tables along with detailed instructions on how parties should fill in each of them. The electronic reporting system and the revised format for national reporting are expected to be adopted by the Conference of the Parties at its twelfth meeting.

15. The small intersessional working group recommended that the Secretariat continue to use the pre-filling possibility of the questionnaire, from year to year, from question 1 to the new table 3, to assist parties with the reporting obligations.

[3] See paragraphs 31, 32, 33, 34, 38 and 39 of decision BC-10/11.

III. Proposed action

16. The Conference of the Parties may wish to adopt a decision along the following lines:

The Conference of the Parties

1. *Expresses its appreciation* to Germany as the lead country of the small intersessional working group on national reporting established by paragraph 5 of decision BC-11/7, and welcomes the work undertaken by the group;

2. *Takes note* of the summary of the proposed changes to the national reporting format,[4] and adopts the revised format for national reporting as submitted by the small intersessional working group on national reporting for use by parties to report for the year 2016 and onwards;[5]

3. *Decides* to extend the mandate of the small intersessional working group on national reporting to develop an electronic user manual for the electronic reporting system and the revised format for national reporting, as adopted in paragraph 2 above, in the six official languages of the United Nations;

4. *Invites* parties to nominate additional experts to participate in the small intersessional working group on national reporting and to inform the Secretariat of their nominations by 30 June 2015;

5. *Invites* parties that have not yet done so to transmit to the Secretariat their completed questionnaires on the transmission of information for 2013 and for previous years as soon as possible, using the electronic reporting system of the Basel Convention;

6. *Requests* the Secretariat:

(a) To continue to develop the electronic reporting system, including the required adaptations of the system to support the new reporting format as adopted in paragraph 2 above;[6]

(b) To support the small intersessional working group on national reporting;

(c) To translate into English, subject to the availability of resources, any information submitted by parties in their national reports in the official languages of the United Nations other than English and to incorporate such information into the electronic reporting system;

(d) To develop a detailed guidance document on how to develop inventories of 10 hazardous wastes streams in the six official languages of the United Nations, taking into account, as appropriate, the methodological guide for the development of inventories of hazardous wastes and other wastes under the Basel Convention[7] adopted by decision BC-12/[...];

(e) To develop an analytical report on transboundary movements and generation of hazardous wastes and other wastes based on the information reported by parties;

(f) To continue to provide, subject to the availability of resources, training to developing countries and other countries that are in need of assistance to meet their reporting obligations by organizing training activities, in cooperation with the Basel Convention regional centres or by other appropriate means;

7. *Requests* the Basel Convention regional centres to continue to provide assistance to parties in order for them to meet their reporting obligations with a view to transmitting to the Secretariat national reports that are, to the extent possible, complete and on time;

8. *Requests* the Secretariat to report to the Conference of the Parties at its thirteenth meeting on the progress of work on national reporting.

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[4] UNEP/CHW.12/8/Rev.1, annex.

[5] UNEP/CHW.12/INF/16, annex I.

[6] Parties should be aware that small adaptations, without changing the content, will be required to allow for the questionnaire to be available in the electronic reporting system.

[7] See UNEP/CHW.12/9/Add.1.

Annex

Summary of changes proposed by the intersessional working group to the national reporting format compared to the previous format

Previous reporting format	*Number in the new proposed format*	*Changes/comments from the small intersessional working group*	*Provision of the Convention*[a]
Question 1a (competent authorities)	1a, 1a.1, 1a.2, 1a.3	Text changes were made to improve format and to allow for online updates	Article 13.2 (a), 13.3 (a)
Question 1b (focal points)	1b, 1b.1, 1b.2, 1b.3	Text changes were made to improve format and to allow for online updates	Article 13.2 (a), 13.3 (a)
Not applicable	1c: Measures to implement and enforce the provisions of the Convention	A new question has been added to allow for information on legislation and, more specifically, on legislation related to illegal traffic	For items (i), (ii) and (iv): Articles 4.4, 9.5 and 13.3 (c) For item (iii): Articles 4.3, 4.4, 9.5 and 13.3 (c).
Question 2a (National definition of waste)	2a	Changes in text	No specific legal basis Related to: Article 2.1 (mainly those that are "required" by national law) and Article 13.3 (c)
Question 2b (National definition of hazardous waste)	2b	Changes in text and suboptions	Articles 3.1, 13.2 (b) and 13.3 (c)
Question 2c (Regulate/control additional waste)	2c	Changes in text and suboptions	Articles 4.11 and 13.3 (i)
Questions 2d, 2e, 2f, 2gi, 2gii (various)	Not applicable	All subquestions were deleted and required information was added to questions 2b and 2c	For question 2d: Article 3.2 For questions 2e, 2f and 2gi: Article 3.1 For questions 2gii: Article 4.11
Question 3a (Amendment to the Convention by decision III/1)	3a	Small change in text	Articles 13.2 (c), 13.2 (d) and 13.3 (c)
Questions 3b and 3c (Restrictions on export, related legislation, etc.)	3b, 3c	Changes in text and suboptions	Article 13.2 (d), 13.3 (c) and 13.3 (i)
Questions 3d, 3e (Restrictions on import, related legislation, etc.)	3d, 3e	Changes in text and suboptions	Article 13.2 (c) and 13.3 (c) combined with Articles 4.1 (a) and Article 13.3 (i)
Question 3f (Restrictions on transit, related legislation, etc.)	3f	Changes in text and suboptions	Article 13.3 (i)

Previous reporting format	*Number in the new proposed format*	*Changes/comments from the small intersessional working group*	*Provision of the Convention*[a]
Question 4a (Notification and movement form)	4a	Small change in text	Article 6 and Annex V (decision VIII/18) combined with Article 13.3 (c) and 13.3 (i)
Question 4b (Languages of the notification form)	4b	Changes in text	Article 13.3 (i)
Question 4c (Requirements on form)	4c	Changes in text	Articles 6 and 4.11 combined with Article 13.3 (i)
Question 4d (Border control)	Not applicable	Question was deleted	No specific legal basis but implicit in Article 6 combined with 13.3 (c)
Question 5 and subquestions (Measures on the reduction of generation of hazardous wastes and other wastes)	5	Changes in text and reduction in the number of subquestions	Articles 4.2 (a) and 13.3.(h)
Question 6 and subquestions (Measures on the reduction of transboundary movements of hazardous wastes and other wastes)	6	Changes in text and reduction in the number of subquestions	Articles 4.2 (d) and 13.3 (b) (iv)
Question 7 (Statistics, studies, etc., on the effects of hazardous wastes and other wastes on human health and the environment)	7	Changes in text and suboptions	Article 13.3 (d)
Table 1 (Agreements)	Table 1	Changes in text	Articles 11.2 and 13.3 (e)
Table 2 (Disposal facilities)	Table 2	Changes in text and easier to fill in	Articles 4.2 (b) and 13.3 (g)
Table 3 (Recovery facilities)	Table 3	Changes in text and easier to fill in	Articles 4.2 (b) and 13.3 (g)
Table 4 (Sources of technical assistance)	Not applicable	Table was deleted	Article 16 (g) combined with Article 13.3 (h)
Table 5 (Sources of financial assistance)	Not applicable	Table was deleted	Article 16 (g) combined with Article 13.3 (h)
Table 6 (Export of hazardous wastes and other wastes)	Table 4	Changes in text and improvements regarding codes	Article 13.3 (b) (i)
Table 7 (Import of hazardous wastes and other wastes)	Table 5	Changes in text and improvements regarding codes	Article 13.3 (b) (ii)
Table 8A (Generation of hazardous wastes and other wastes)	Table 6	Changes in text and more flexibility to report as per national codes	Article 4.2 (a) combined with Article 13.3 (i) Decision BC-10/2 on the Strategic Framework

Previous reporting format	*Number in the new proposed format*	*Changes/comments from the small intersessional working group*	*Provision of the Convention*[a]
Table 8B (not mandatory) (Breakdown of Y codes for generation of hazardous wastes and other wastes)	Not applicable	Table was deleted	Article 4.2 (a) combined with Article 13.3 (c) and 13.3 (h)
Table 9 (Disposals)	Table 7	Changes in text	Article 13.3 (b) (iii)
Table 10 (Accidents)	Table 8	Changes in text	Article 13.3 (f)
Not applicable	Table 9: Cases of illegal traffic closed in the reporting year	A new table has been added to allow for information on cases of illegal traffic closed in the reporting year	Articles 9.5 and 13.3 (c), 13.3 (i) Decisions of the Conference of the Parties related to illegal traffic

[a] Article 13.3 (i) states that the reports transmitted shall contain information on "such other matters as the Conference of the Parties shall deem relevant".